# IAP12 Rec'd PCT/PTO 3 1 AUG 2006

FORM PTO 1390 (REV 5-93), US DEPARTMENT OF COMMERCE PATENT AND 1 TRANSMITTAL LETTER TO THE UNITEI	ATTORNEY DOCKET NUMBER 2005-0699A	
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. §371		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/534,507
International Application No. PCT/JP03/13628	International Filing Date October 24, 2003	Priority Date Claimed November 11, 2002

Title of Invention

POLISHING APPARATUS

Applicant(s) For DO/EO/US Masayoshi HIROSE et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- 1. [] This is a FIRST submission of items concerning a filing under 35 U.S.C. §371.
- 2. [X] This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. §371.
- 3. [] This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).
- 4. [] A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- 5. [] A copy of the International Application as filed (35 U.S.C. §371(c)(2))
  - a. [] is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. [] has been transmitted by the International Bureau.
  - «c. [] is not required, as the application was filed in the United States Receiving Office (RO/US)
- 6. [X] A translation of the International Application into English (35 U.S.C. §371(c)(2)). ATTACHMENT E
- 7. 1 Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)).
  - a. [] are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. [] have been transmitted by the International Bureau.
  - c. [] have not been made; however, the time limit for making such amendments has NOT expired.
  - d. [] have not been made and will not be made.
- 8. [] A translation of the amendments to the claims under PCT Article 19.
- 9. [X] An (EXECUTED) oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)). ATTACHMENT F
- 10. [] A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).

### Items 11. to 14. below concern other document(s) or information included:

- 11. [X] An Information Disclosure Statement under 37 CFR 1.97 and 1.98. ATTACHMENT G
- 12. [X] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

### **ATTACHMENT H**

- 13. [X] A FIRST preliminary amendment. ATTACHMENT I
  - [] A SECOND or SUBSEQUENT preliminary amendment.
- 14. [X] Other items or information: Notification of Missing Requirements under 35 U.S.C. 371 in the United States

Designated/Elected Office (DO/EO/US) - ATTACHMENT J

THE COMMISSIONEH IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEES FOR THIS PAPER TO DEPOSIT ACCOUNT NO. 23-0975

U.S. APPLICATION NO. ((f known, s 10/534,507	APPLICATION NO. ((f lzonn, 200 37 CFR 1.5) 4,507  INTERNATIONAL APPLICATION NO. PCT/JP03/13628 i.		TION NO.	ATTORNEY'S DOCKET NO. 2005-0699A		
15. [X] The following fees are submitted					CALCULATIONS	PTO USE ONLY
Basic National Stage Fee \$\frac{300.00}{\text{National Stage Search Fee (International Search Report provided - 37 CFR 1.492(b)(2))}\$\$\$ \$\frac{4400.00}{\text{National Stage Examination Fee}}\$\$\$ \$\$\$ \$\$\$ \$\$\$ \$\$\$ \$\$\$ \$\$\$ \$\$\$ \$\$\$\$ \$\$\$\$						
ENTER APPROPRIATE BASIC FEE AMOUNT =					\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [X] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					\$130.00	
Claims	Number Filed	Number	Extra	Rate		
Total Claims	11 - 20 =			X \$50.00	\$	
Independent Claims	6 - 3 =	3		X \$200.00	\$600.00	
Multiple dependent claim(s) (if ap	plicable)			+ \$360.00	\$	
TOTAL O	F ABOVE CAL	CULATION	NS =		\$730.00	
[] Small Entity Status is hereby asserted. Above fees are reduced by 1/2.			\$			
SUBTOTAL =			\$730.00			
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [X] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$130.00			
" TOTAL NATIONAL FEE =			\$			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$40.00		
TOTAL FEES ENCLOSED =			\$900.00			
/2006 MKAYPAGH 00000087 10534507				Amount to be refunded	\$	
:8021	40.00 OP				Amount to be charged	\$
a. [X] A check in the amount of \$900.00 to cover the above fees is enclosed. A duplicate copy of this form is enclosed.						
b. [] Please charge my Deposit Account No. 23-0975 in the amount of \$ to cover the above fees.  A duplicate copy of this sheet is enclosed.						
c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-0975.						
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.						
19. CORRESPONDENCE ADDRESS  By: M. W. Wallen						
Nils			E. Pedersen , ration No. 33,145			
CUSTOMER NO.				,		
000512			2033 "K" St	H, LIND & PONACK, L.L.P. Street, N.W., Suite 800		
Phone			in, D.C. 20006-1021 :(202) 721-8200			
Fax:			(202) 721-8250			

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[CHECK NO. 75980] [2005-0699A]

August 31, 2006

01 FC:1617 02 FC:1614 03 FC:1618

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Dox 1450 Alexandria, Virginia 22313-1450

	www.uspid.gov				
U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT		ATTY. DOCKET NO.			
10/534,507	Masayoshi Hirose	2005_0699A INTERNATIONAL APPLICATION NO. PCT/JP03/13628			
E42	_				
513 WENDEROTH, LIND & PONACK, L.L.P.,		I.A. FILING DATE	PRIORITY DATE		
2033 K STREET N. W. SUITE 800	SIVEN	10/24/2003	11/11/2002		
WASHINGTON, DC 20006-1024	3 1 2006		IATION NO. 5056		
-		371 FORMALITIES I			

Date Mailed: 07/27/2006

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/11/2005
- Copy of the International Search Report filed on 05/11/2005
- Copy of IPE Report filed on 05/11/2005
- Information Disclosure Statements filed on 10/05/2005
- Oath or Declaration filed on 05/11/2005
- Request for Immediate Examination filed on 05/11/2005
- U.S. Basic National Fees filed on 05/11/2005
- Priority Documents filed on 05/11/2005
- Specification filed on 05/11/2005
- Claims filed on 05/11/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

- is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath
  or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the
  missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$260 for a Large Entity:

- \$130 Surcharge.
- \$130 for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

#### KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

# PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/534,507	РСТ/JР03/13628	2005_0699A

FORM PCT/DO/EO/905 (371 Formalities Notice)

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Masayoshi HIROSE et al.

Mail Stop: PCT

Serial No. 10/534,507

Attorney Docket No. 2005-0699A

Filed May 11, 2005

POLISHING APPARATUS [Corresponding to PCT/JP03/13628 Filed October 24, 2003]

THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEES FOR THIS PAPER TO DEPOSIT ACCOUNT NO. 23-0975

**COVER LETTER** 

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Attached hereto is an executed Declaration in compliance with 37 CFR 1.497(a) and (b).

However, it is noted that the International Application included an incorrect transliteration of the fourth inventor's name. Thus, the International Application indicates the fourth inventor as "Ikutaro NOJI". However, the fourth inventor's name is correctly spelled "Ikutarou NOJI." This is the manner in which the fourth inventor's name has been indicated in the accompanying Declaration as well as the Assignment document for this application.

Respectfully submitted,

Masayoshi HIROSE et al

Nils E. Pedersen

Registration No. 33,145 Attorney for Applicants

NEP/krg Washington, D.C. 20006-1021 Telephone (202) 721-8200 Facsimile (202) 721-8250 August 31, 2006